

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES ARTHUR BLAKEMORE, III,

Plaintiff,

v.

STATE OF MISSOURI, et al.,

Defendants.

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No. 4:18-CV-0223 JMB

MEMORANDUM AND ORDER

Before the Court is plaintiff's notice of appeal, as well as an exhibit attached to plaintiff's notice of appeal, titled "Petition: Abuse of Process Administrative Discretion." To the extent that plaintiff is requesting leave to file an amended complaint, the Court will deny plaintiff's request for leave.

Plaintiff brought this action pursuant to 42 U.S.C. § 1983 against the State of Missouri and two St. Louis City Prosecutors alleging violations of his civil rights during his incarceration as a pretrial detainee in the St. Louis County Detention Center. The Court reviewed his allegations and found that they failed to state a claim upon which relief could be granted and dismissed his action pursuant to 28 U.S.C. § 1915(e)(2)(B), on February 13, 2018.

The Court has reviewed the forty-four (44) page document attached to plaintiff's notice of appeal and found that it is not styled as a pleading and it does not comply with either this Court's Local Rules or the Federal Rules of Civil Procedure. For example, the document submitted by plaintiff does not contain "a short and plain statement of the claim showing that the pleader is entitled to relief, and . . . a demand for judgment for the relief the pleader seeks." *See*

Fed.R.Civ.P.8. Furthermore, the document is not simple, concise or direct, nor does it set out plaintiff's claims in numbered paragraphs, as required by Rule 10 of the Federal Rules.

Instead, it appears that plaintiff has submitted several pages of documents relating to his state court criminal action, as well as legal citations to what he believes to be relevant state case law. Because plaintiff's document appears to be nothing more than a recitation of his original complaint in this action, the Court will deny plaintiff's post-dismissal request for leave to amend his complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's post-dismissal request for leave to amend his complaint is **DENIED**.

IT IS FURTHER ORDERED that an appeal of this dismissal would not be taken in good faith.

Dated this 2nd day March, 2018.

\s\ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE